

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF JUNE 17, 2016

(Published June 25, 2016, in *Finance and Commerce*)

CALL TO ORDER

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Linea Palmisano, President Barbara Johnson.

Absent - Council Member Andrew Johnson.

On motion by Frey, the agenda was amended to include Chapter 520 Introductory Provisions to the notice of intent related to regulations for fraternities and sororities ordinance contained in item 2 under the Order of New Business.

On motion by Glidden, the agenda, as amended, was adopted.

On motion by Glidden, the minutes of the regular meeting of May 27, 2016, were accepted.

On motion by Glidden, the petitions, communications, and reports were referred to the proper Committees.

The following actions, resolutions, and ordinances were signed by Mayor Betsy Hodges on June 22, 2016. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and La Fresca, allowing the licensee to retain the On Sale Wine with Strong Beer, Class E License for La Fresca, 4750 Grand Ave S, subject to adherence with the

conditions contained therein, as set forth in File No. 16-00798, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business, and Gambling licenses as set forth in File No. 16-00754, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

Approved by Mayor Betsy Hodges 6/17/2016.

(Published 6/21/2016)

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and The Venue, allowing the licensee to retain the On Sale Liquor with Sunday Sales, Class B License for The Venue, 315 1st Ave N, subject to adherence with the conditions contained therein, as set forth in File No. 16-00755 and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a Memorandum of Understanding with the Minneapolis Public Housing Authority to perform analysis of potential inspections coordination, as described in File No. 16-00757.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves exclusive development rights to Pinnacle Management, LLC for a period not to exceed 24 months on City-owned parcels at 1830 & 1832 Bryant Ave N and 817 1/2 W Broadway Ave, as described in File No. 16-00758.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2016R-236 giving final approval for the issuance of up to \$6.8 million in Tax Exempt Multi-Family Housing Entitlement Revenue Bonds for the Hawthorne EcoVillage Apartments project.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-236

By Goodman

Authorizing the issuance, sale, and delivery of Multifamily Housing Revenue Note (Hawthorne EcoVillage Limited Partnership Project), Series 2016; approving a housing program therefor; approving the form of and authorizing the execution and delivery of such obligation and related documents; and providing for the security, rights, and remedies with respect to such obligation.

Resolved by The City Council of The City of Minneapolis:

1. **STATUTORY AUTHORIZATION.** The City of Minneapolis, a home rule city, municipal corporation, and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota (the "City"), is authorized by Minnesota Statutes, Chapter 462C, as amended (the "Act"), to carry out the public purposes described in the Act by issuing its revenue bonds to provide funds to finance multifamily housing developments within its boundaries. In the issuance of revenue bonds and in the making of loans to finance multifamily housing developments, the City may exercise, within its corporate limits, any of the powers that the Minnesota Housing Finance Agency may exercise under Minnesota Statutes, Chapter 462A, as amended, without limitation under the provisions of Minnesota Statutes, Chapter 475, as amended.
2. **THE BORROWER AND THE PROJECT.** PPL Hawthorne EcoVillage LLC, a Minnesota limited liability company, or an affiliate thereof (the "Borrower"), has requested that the City participate in financing the acquisition, construction, and equipping of 75 units of multifamily rental apartments, and facilities functionally related and subordinate thereto, to be located at 617 Lowry Avenue North in the City (the "Project"), through the issuance of conduit revenue obligations the proceeds of which are to be loaned by the City to the Borrower. The Project will be owned and operated by Hawthorne EcoVillage Limited Partnership, or an affiliate, related person, successor, or assign thereof (the "Property Owner"). The Borrower is the managing general partner of the Property Owner.
3. **THE HOUSING PROGRAM.** A Program for a Multifamily Housing Development (the "Housing Program") with respect to the Project and the proposed issuance of conduit revenue obligations to

finance the Housing Program and the Project was prepared in accordance with the requirements of Section 462C.03, subdivision 1a, of the Act, and is on file with the City. The Housing Program was submitted to the Metropolitan Council for its review and comments in accordance with the requirements of the Act. The City received a letter from the Metropolitan Council providing its comments to the Housing Program and the Project. The Housing Program is hereby approved and adopted by the City.

4. PUBLIC HEARING. The Community Development and Regulatory Services Committee of the Minneapolis City Council held a public hearing on Tuesday, April 5, 2016, with respect to the Housing Program and the proposed issuance of conduit revenue obligations of the City to finance the Project. The public hearing was conducted at least 15 days after publication of a notice of such public hearing in the official newspaper of the City and in a newspaper of general circulation in the City. Following the public hearing, the Community Development and Regulatory Services Committee approved the Housing Program and the proposed financing and recommended the adoption of this resolution by the City Council.

5. APPROVAL OF SERIES 2016 NOTE AND RELATED FINANCING DOCUMENTS. For the purpose of financing a portion of the costs of the acquisition, construction, and equipping of the Project and related costs, there is hereby authorized the issuance, sale, and delivery of conduit revenue obligations of the City, in an aggregate principal amount not to exceed \$6,800,000, for the benefit of the Borrower and the Project. The obligations may be issued as one or more series, as determined in the discretion of the Finance Officer. If issued in one series, the obligations may be designated the Multifamily Housing Revenue Note (Hawthorne EcoVillage Limited Partnership Project), Series 2016 (the "Series 2016 Note"). The Series 2016 Note is expected to be issued as a variable-rate obligation, maturing in approximately 30 months, and in a principal amount to be determined by the City, the Borrower, and the purchaser of the Series 2016 Note. The Finance Officer, in his or her discretion, may adjust the terms of the Series 2016 Note, including the principal amount of the Series 2016 Note, as long as the aggregate principal amount of the Series 2016 Note does not exceed \$6,800,000. The Series 2016 Note is to be sold to one or more banks or other financial institutions (the "Lender") in a private placement under terms and conditions negotiated between the Borrower and the Lender. The proceeds derived from the sale of the Series 2016 Note are to be loaned by the City to the Borrower under the terms of a Loan Agreement, dated on or after June 1, 2016 (the "Loan Agreement"), between the City and the Borrower. The Loan Agreement is hereby approved and the Finance Officer is hereby authorized to execute and deliver the Loan Agreement on behalf of the City. The Borrower will make a subloan to the Property Owner of the proceeds of the loan made by the City to the Borrower pursuant to the Loan Agreement (the "Subloan"). The Property Owner will covenant and agree to be bound by applicable terms of the Loan Agreement, including without limitation certain City requirements, pursuant to a Bond Compliance Agreement dated on or after June 1, 2016 (the "Bond Compliance Agreement") between the City and the Property Owner. All of the provisions of the Loan Agreement and the Bond Compliance Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Loan Agreement and the Bond Compliance Agreement shall be substantially in the form now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, as the Finance Officer, in his or her discretion, shall determine, and the execution and delivery thereof by the Finance Officer shall be conclusive evidence of such determination.

The proceeds of the loan to be made under the terms of the Loan Agreement (the “Loan”) are hereby authorized to be applied to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs.

6. LIMITED REVENUE OBLIGATION OF THE CITY. The City acknowledges, finds, determines, and declares that the issuance of the Series 2016 Note is authorized by the Act and is consistent with the purposes of the Act and that the issuance of the Series 2016 Note, and the other actions of the City under this resolution and the Loan Agreement constitute a public purpose and are in the interests of the City. In authorizing the issuance of the Series 2016 Note for the financing of the Project and related costs, the City’s purpose is, and the effect thereof will be, to promote the public welfare of the City and its residents by providing multifamily housing developments for low and moderate income residents of the City and otherwise furthering the purposes and policies of the Act. The Series 2016 Note will be issued under the terms of this resolution. The Series 2016 Note and the interest on the Series 2016 Note: (i) shall be payable solely from the revenues pledged therefor under the terms of the Series 2016 Note and the Loan Agreement; (ii) shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City’s interest in the Loan Agreement; and (v) shall not constitute a general or moral obligation of the City.

7. TERMS OF THE SERIES 2016 NOTE. The City hereby authorizes the Series 2016 Note to be issued as a “tax-exempt bond” the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes. In accordance with the provisions of Minnesota Statutes, Chapter 474A, as amended (“Chapter 474A”), and Section 146 of the Internal Revenue Code of 1986, as amended (the “Code”), the City shall: (i) allocate to the Series 2016 Note a portion of its “entitlement issuer allocation” granted under the provisions of Minnesota Statutes, Chapter 474A, as amended (“Chapter 474A”), and Section 146 of the Internal Revenue Code of 1986, as amended (the “Code”); or (ii) allocate to the Series 2016 Note a portion of its “carryforward allocation”; or (iii) allocate to the Series 2016 Note a portion of its entitlement issuer allocation and a portion of its carryforward allocation. The Series 2016 Note, substantially in the form now on file with the City, is hereby approved with the amendments referenced herein. All of the provisions of the Series 2016 Note, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Series 2016 Note shall bear interest at a fixed or variable rate, shall be designated, shall be numbered, shall be dated, shall mature, shall be issued in the aggregate principal amount, shall be subject to redemption prior to maturity, shall be in such form, and shall have such other terms, details, and provisions as are prescribed in this resolution, the form of the Series 2016 Note, and the Loan Agreement, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Series 2016 Note, the stated maturity of the Series 2016 Note, the interest rate on the Series 2016 Note, and the terms of redemption of the Series 2016 Note) as the Finance Officer, in his or her discretion, shall determine.

The Series 2016 Note shall not constitute a general or moral obligation of the City but shall be a special, limited obligation of the City payable solely from the revenues provided by the Borrower or Project Owner under the terms of the Loan Agreement and from the revenues and security pledged, assigned, and granted under the terms of this resolution, the Series 2016 Note, the Loan Agreement, and any other security documents provided by the Borrower or any other party to secure the timely payment of the principal of, premium, if any, and interest on the Series 2016 Note. As provided in the Loan

Agreement, the Series 2016 Note shall not be payable from nor charged upon any funds other than the revenue pledged to its payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of the Series 2016 Note shall ever have the right to compel any exercise by the City of any taxing powers of the City to pay the Series 2016 Note or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement and the revenues and assets thereunder, which will be assigned to the Lender under the terms of an Assignment of Loan Agreement, to be dated on or after June 1, 2016 (the "Assignment of Loan Agreement"), between the City, the Lender, and the Borrower. All of the provisions of the Assignment of Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Assignment of Loan Agreement shall be substantially in the form now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, as the Finance Officer, in his or her discretion, shall determine, and the execution and delivery thereof by the Finance Officer shall be conclusive evidence of such determination.

The Series 2016 Note shall recite that the Series 2016 Note is issued under the Act, and that the Series 2016 Note, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Series 2016 Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

8. SECURITY. The City acknowledges and hereby approves any one or more of the following to be provided as security for the payment of the obligations of the Borrower under the Loan Agreement, and the payment of the principal of, premium, if any, and interest on the Series 2016 Note: (i) a Guaranty of Payment, dated on or after June 1, 2016 (the "Guaranty"), from Project for Pride In Living, Inc., a Minnesota nonprofit corporation ("PPL"), or another or other guarantors; (ii) a Disbursing Agreement, dated on or after June 1, 2016 (the "Disbursing Agreement"), between the Borrower, the Lender, and a disbursing agent selected by the Borrower and the Lender; (iii) an Investor Equity Assignment and Security Agreement, dated on or after June 1, 2016, from Project Owner to Lender (to secure the Subloan); (iv) an Assignment of Development Fee, dated on or after June 1, 2016, from PPL to the Lender; (v) a Collateral Assignment and Pledge of Partnership Interests dated on or after June 1, 2016 from Borrower to Lender, and (vi) such other security documents as the Borrower, the Lender, and other parties agree are necessary or appropriate to ensure timely payment of the Loan and the Series 2016 Note. All such security documents may be given such other designations as determined by the City, the Borrower, and the Lender, and shall be substantially in the forms authorized and approved by the Lender and the Borrower.

9. THE REGULATORY AGREEMENT. To ensure continuing compliance with certain rental and occupancy restrictions imposed by the Act, Chapter 474A, and Section 142(d) of the Code, and to ensure continuing compliance with certain restrictions imposed by the City, the Finance Officer is hereby authorized and directed to execute and deliver a Regulatory Agreement, dated on or after June 1, 2016 (the "Regulatory Agreement"), between the City, the Property Owner and the Lender. The Regulatory Agreement shall be substantially in the form now on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, as the Finance Officer, in his or her discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations. All of the provisions of the Regulatory Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and

to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof.

10. OTHER CITY DOCUMENTS. The Finance Officer is hereby designated as the representative of the City with respect to the issuance of the Series 2016 Note and the transactions related thereto. The Finance Officer is authorized, upon request, to furnish certified copies of all proceedings and records of the City relating to the Series 2016 Note, and such other affidavits and certificates as may be required to show the facts relating to the Series 2016 Note as such facts appear from the books and records in the custody and control of the City; and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein. The Finance Officer is hereby further authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Lender, the Borrower, the Property Owner or other persons or entities in conjunction with the issuance of the Series 2016 Note and the expenditure of the proceeds of the Series 2016 Note. Without imposing any limitations on the scope of the preceding sentence, the Finance Officer is specifically authorized to execute and deliver such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2016 Note, including one or more consents to an assignment of a redevelopment agreement, tax increment revenues, or any other funds made available to the Borrower and the Project by the City and Hennepin County; an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Series 2016 Note; an endorsement to any tax certificate as to arbitrage, rebate, and other federal tax matters executed and delivered in connection with the issuance of the Series 2016 Note, appropriate amendments to the Housing Program, and all other documents and certificates as the Finance Officer shall deem to be necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2016 Note. The Finance Officer is hereby further authorized and directed to execute and deliver all other instruments and documents necessary to accomplish the purposes for which the Series 2016 Note are to be issued and the Loan Agreement, the Bond Compliance Agreement, the Assignment of Loan Agreement, and the Regulatory Agreement are to be executed and delivered. The preparation and filing of Uniform Commercial Code financing statements with respect to the assignment of the interests of the City in the Loan Agreement (excluding any unassigned rights as provided in the Loan Agreement), are hereby authorized. The City hereby authorizes Kennedy & Graven, Chartered, as bond counsel to the City ("Bond Counsel"), to prepare, execute, and deliver its approving legal opinions with respect to the Series 2016 Note.

11. DISCLOSURE DOCUMENTS. It is not expected that any disclosure documents will be prepared in connection with the issuance and sale of the Series 2016 Note. In the event that an official statement or other disclosure document is prepared relating to the offer and sale of the Series 2016 Note (the "Disclosure Documents"), the City will not participate in the preparation or distribution of such Disclosure Documents and will make no independent investigation with respect to the information contained in the Disclosure Documents and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information.

12. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of issuance of the Series 2016 Note, the Finance Officer is hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution on behalf of the City if, after review by and consultation with the City Attorney and Bond Counsel, the Finance Officer determines that the execution and delivery of such amendment or supplement is in the interests of the City. The Finance

Officer may impose any terms or conditions on his or her execution and delivery of any such amendment or supplement as the Finance Officer deems appropriate.

13. LIMITATIONS OF LIABILITY. No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the City Council of the City, or any officer, agent, or employee of the City in that person's individual capacity, and neither the City Council of the City nor any officer, agent, or employee executing the Series 2016 Note shall be personally liable on the Series 2016 Note or be subject to any personal liability or accountability by reason of the issuance thereof. No provision, covenant, or agreement contained in the aforementioned documents, the Series 2016 Note, or in any other document relating to the Series 2016 Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement, which are to be applied to the payment of the Series 2016 Note, as provided therein.

Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City, and any holder of the Series 2016 Note issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City, the Borrower, the Lender, and any beneficial owners from time to time of the Series 2016 Note issued under the provisions of this resolution.

14. SEVERABILITY. In case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents, or of the Series 2016 Note issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Series 2016 Note, but this resolution, the aforementioned documents, and the Series 2016 Note shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

15. VALIDITY OF THE SERIES 2016 NOTE. The Series 2016 Note, when executed and delivered, shall contain a recital that it is issued in accordance with the Act, and such recital shall be conclusive evidence of the validity of the Series 2016 Note and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Series 2016 Note, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

16. ADDITIONAL ACTIONS. The officers of the City, the City Attorney, Bond Counsel, other attorneys, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, or the Series 2016 Note, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Series 2016 Note, the aforementioned documents, and this resolution.

17. DESIGNATION AS PROGRAM BONDS. The Series 2016 Note is hereby designated a “Program Bond” and is determined to be within the “Housing Program” and the “Program,” all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

18. FEES AND INDEMNIFICATION. The Borrower has agreed to pay the administrative fees of the City in accordance with the applicable policies and procedures of the City. It is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower. It is understood and agreed by the Borrower and the Property Owner that the Borrower and the Property Owner shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorney’s fees and expenses incurred by the City) arising with respect to the Project and the Series 2016 Note, as provided for and agreed to by and between the Borrower and the Property Owner and the City in the Loan Agreement and the Bond Compliance Agreement, respectively. The financing transaction represented by the Series 2016 Note is subject to all existing policies and procedures of the City and is also subject to any conduit bond policies and procedures subsequently adopted by the City to the extent the provisions thereof are intended to be applied retroactively to conduit revenue obligations issued prior to the adoption of such conduit bond policies and procedures.

19. EFFECTIVE DATE. In accordance with the terms of Article IV, Section 4.4(d), of the Charter of the City, this resolution shall take effect and be in force from and after its approval and publication. Only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2016R-237 granting approval for the Hennepin County Housing and Redevelopment Authority to provide financial assistance from the 2016 Affordable Housing Incentive Fund to seven projects located in Minneapolis: Affirmation House at 3310 Penn Ave N, CLCLT Homebuyer Initiated Program consisting of several scattered project sites not yet identified, Indian Neighborhood Club Expansion at 2010 S 5th Ave, Marshall Flats at 2525 2nd St NE, PPL YouthLink at 41 12th St N, PRG 1 Portfolio at 3708 Elliot Ave SE, and Project: Reclaim 4 consisting of several scattered project sites not yet identified.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-237
By Goodman

Granting approval for the Hennepin County Housing and Redevelopment Authority to provide financial assistance to Affirmation House (\$210,000), City of Lakes Community Land Trust Homebuyer Initiated Program (\$210,000), Indian Neighborhood Club Expansion (\$358,755), Marshall Flats (\$370,000), PPL YouthLink Supportive Housing (\$350,000), PRG I (\$200,000) and Project: Reclaim 4

(\$100,000) under the Minnesota Housing and Redevelopment Authorities Act and Minnesota Statutes, Section 383B.77.

Whereas, representatives of the Hennepin County Housing and Redevelopment Authority (the “County HRA”) have advised the City of Minneapolis, Department of Community Planning and Economic Development (the “City”) that the County HRA proposes to provide financial assistance from Hennepin County’s Affordable Housing Incentive Fund in an amount up to \$1,798,755, to the seven (7) projects in Minneapolis, Minnesota identified in the attached spreadsheet (the “Projects”); and

Whereas, pursuant to Minnesota Statutes, Section 383B.77, subd. 3, the County HRA must obtain City approval of any project within the City before it is undertaken by the County HRA;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That, as required by Minnesota Statutes, Section 383B.77, subd. 3, and other applicable law, the City Council hereby approves the County HRA exercising its powers in the City for the limited purpose of providing financial support to the Projects in the City, which Projects have requested, or may hereafter request, financial assistance in the combined amount up to \$1,798,755 from the County HRA.

Be It Further Resolved that nothing in this resolution shall create a pecuniary obligation of the City to assist the Projects, nor shall the City be in any way responsible for any financing obligation or agreement of the County HRA with respect to its provision of financial assistance to the Projects.

Be It Further Resolved that the request made hereunder extends only to the powers of the County HRA with respect to the financial assistance the County HRA proposes to provide to the Projects, and the City shall retain all other powers and jurisdiction over matters relating to the City and the Projects.

Be It Further Resolved that nothing in this resolution is intended to endorse the merits of the Projects to be undertaken.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby approves a loan of up to \$900,000 from the Affordable Housing Trust Fund for the Aeon Prospect Park project at 3001 4th St SE by Aeon, or an affiliated entity, subject to the availability of funding at project closing, and authorizes the execution of the necessary documents for said loan.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves the proposed amendments to the Humboldt Greenway Redevelopment Option Contract for the Humboldt Greenway Fifth Addition properties located on the 4900 and 5000 blocks of Humboldt Lane N and Girard Ave N, as well as properties along 50th Ave N from Dupont to Humboldt Aves N, as set forth in File No. 16-00762.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following reports:

The Minneapolis City Council hereby authorizes an increase to contract C-39596 with Home Line of \$100,000, for a new not-to-exceed total of \$200,000, and extension for 12 months, through Dec. 31, 2016, for providing free legal advice to Minneapolis renters in English, Spanish and Somali via phone, email and resource materials.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Approves the 2016 Homeownership Opportunity Minneapolis (HOM) Program to provide down payment and closing cost assistance to Minneapolis homebuyers.
2. Authorizes lending contracts and/or disbursement and related agreements for City of Minneapolis funds for the HOM program.
3. Approves contracts with Greater Metropolitan Housing Corporation and BuildWealth Minnesota in an amount not to exceed a combined total of \$75,000 for the costs of administering the loans.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Approves appropriation of program income generated through the Neighborhood Stabilization Program (NSP) of \$983,526.89 and accepting and appropriating an additional allocation of NSP 1 funds from the Minnesota Housing Finance Agency (MHFA) of \$1,197,824.09, for a total of \$2,181,350.98.

2. Passage of Resolution 2016R-238 approving appropriation of funds to the Department of Community Planning & Economic Development.
3. Authorizes a second amendment to the grant agreement with MHFA for the acceptance of additional NSP 1 funds.
4. Authorizes amendment of homebuyer assistance guidelines from \$7,500 of assistance to \$5,000 of assistance for new NSP project commitments.
5. Authorizes amendment of development gap assistance cap for new construction projects from \$60,000 of assistance to \$70,000 of assistance for new NSP project commitments.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-238
By Goodman and Quincy

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

1. Increasing the appropriation for the Department of Community Planning & Economic Development (CPED) Agency in the Federal Grants Fund (01300-8900230) by \$2,079,636.95 and increasing the revenue source (01300-8900900-321008) by \$2,079,636.95.
2. Increasing the appropriation in the CPED Agency CDBG and UDAG Funds (01400-8900230) by \$101,714.03, and increasing the revenue source (01400-8900900-321008) by \$101,714.03.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and INTERGOVERNMENTAL RELATIONS Committees submitted the following report:

The Minneapolis City Council hereby directs staff to draft and submit written comments in support of the Minnesota Pollution Control Agency's Notice of Intent to Revoke Without Reissuance the Air Quality Permit for the Northern Metals Recycling, LLC Minneapolis facility.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following reports:

The Minneapolis City Council hereby authorizes the City Coordinator's Office of Sustainability to submit an application for the U.S. Department of Energy's - Cities Leading through Energy Analysis and Planning Grant in the amount of \$500,000 to be used to support the initiatives of the Clean Energy Partnership and the Energy Vision Advisory Committee. A 10% cost share minimum is required and is expected to be satisfied in-kind through staff time.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the single bid submitted on OP No. 8205 from CuraScript Specialty Distribution, in the amount of \$100,000, to furnish and deliver medication device products - Nexplanon through Dec. 31, 2016, for the Minneapolis Health Department, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes:

1. Acceptance of a grant from the New Venture Fund in the amount of \$10,000 to achieve Bright Cities status in 2016 by addressing neurotoxic chemicals in Minneapolis.
2. An agreement with the New Venture Fund for the grant.
3. Passage of Resolution 2016R-239 appropriating funds to the Health Department.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-239

By Gordon and Quincy

Amending The 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants-Other Fund (01600-8600122) by \$10,000 and increasing the revenue estimate (01600-8600122-372001) by \$10,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby authorizes an amendment to Contract No. 39232 with EMSL Analytical, Inc., increasing the contract by \$20,000, for a revised contract total of \$70,000, for lead testing services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes amending the City Council action of Oct. 23, 2015, directing Finance & Property Services staff to prepare a Request for Proposals (RFP) for community solar garden services to be provided to the City of Minneapolis, and return to the Health, Environment & Community Engagement Committee with a draft RFP no later than Feb. 1, 2016, by separating said staff direction into two stages, as follows:

1. Authorizing issuance of an RFP for community solar garden services to be provided to the City of Minneapolis that will include the following criteria for evaluation of the responses:

1. Workforce participation from Minneapolis residents and compliance with the Small and Underutilized Business Program (SUBP) goals.

2. Potential cost savings to the City of Minneapolis.
3. Potential ownership by the City of Minneapolis of the Renewable Energy Credits (RECs).
4. A Community Solar Garden up to 1 MWAC in size.
5. Reference to stacked green infrastructure, including pollinator forage, storm water management, or local food growing.

2. At the completion of Stage 1, the staff of Finance & Property Services will report back to the Health, Environment & Community Engagement Committee Chair on the development of an RFP that attempts to incorporate the following criteria for evaluation:

1. Potential availability of subscriptions for Minneapolis residents and businesses, especially low-income people and people of color.
2. Location within the City of Minneapolis, potentially on a City-owned site.
3. Potential ownership of the garden by Minneapolis residents, businesses, and property owners.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:

The Minneapolis City Council hereby authorizes an increase to contract C-39032 with Hennepin Health Services (Hennepin County Medical Center) of \$80,693, for a not-to-exceed total of \$130,693, and an extension through Dec. 31, 2018, for the provision of an Attending Medical Director as the medical director of record for the Minneapolis Fire Department.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a contract with the Minneapolis Public Housing Authority (MPHA) for Police Department service to the MPHA for investigating suspected fraud under the Section 8 Housing Choice Voucher Program, with compensation of \$108,825 for one year, beginning July 4, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Authorizes a revenue agreement with SMG for the Police Department to provide law enforcement services in the neighborhoods adjacent to US Bank Stadium for up to 25 large scale events, in an amount up to \$370,000 annually.
2. Passage of Resolution 2016R-240 approving appropriation to the Police Department.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-240
By Yang and Quincy

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Special Revenue Fund (01210 4005000) by \$370,000, and increasing the revenue source (01210 4005000 345501) by \$370,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby authorizes an increase to contract C-38495 with Minneapolis Public Schools of \$1,275,000, for a not-to-exceed total of \$3,535,000, and an extension through June 30, 2017, for the City to provide police officers to serve as School Resource Officers in City high schools, middle schools and other selected schools during the 2016-17 school year.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-241 rescinding Resolution 2016R-142 passed April 15, 2016, entitled “Approving the sale of excess land at 2900 Grand Ave S and 2905 Harriet Ave” due to discovered title issues.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-241

By Reich

Rescinding Resolution 2016R-142 passed April 15, 2016, entitled “Approving the sale of excess land at 2900 Grand Ave S and 2905 Harriet Ave.”

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be and is hereby rescinded, as follows, due to discovered title issues:

~~Whereas, the City of Minneapolis, hereinafter known as the City, proposes to sell two parcels of unimproved excess land for use in an approved residential development known as 2900 Associates LLC; and~~

~~Whereas, due to the parcel at 2900 Grand Ave S being primarily steeply sloping terrain and the parcel at 2905 Harriet Ave being of insufficient land area to be buildable, both parcels are considered of no use to the City and have been determined by the Director of the Department of Public Works to be “excess”; and~~

~~Whereas, the legal descriptions of the land being conveyed is:~~

~~As to 2900 Grand Ave S: The North 28 feet including adjacent 1/2 of vacated alley of Lot 1, Block 6, Excelsior Addition to Minneapolis; and~~

~~As to 2905 Harriet Ave: The South 30 feet of the East 18 feet of Lot 15, Block 6, Excelsior Addition to Minneapolis; and~~

~~Whereas, the Department of Public Works has estimated the fair market value of the combined parcels to be \$1,000;~~

~~Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:~~

~~That the Minneapolis City Council approves the sale of the two parcels described above to 2900 Associates LLC, by means of a quit claim deed. The City Council of the City of Minneapolis also directs the appropriate staff to execute, deliver, and record the deed.~~

~~Be It Further Resolved that the sale is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City’s general plan of economic development in accordance with the City’s approved disposition policy.~~

On roll call, the result was:

June 17, 2016

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

Approved by Mayor Betsy Hodges 6/17/2016.

(Published 6/21/2016)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-242 approving the sale of excess land at 2905 Harriet Ave and 2900 1/2 Grand Ave S to 2905 Associates LLC.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-242

By Reich

Approving the sale of excess land at 2905 Harriet Ave and 2900 1/2 Grand Ave S to 2905 Associates LLC.

Whereas, the parcels being of insufficient land area to be buildable and have been determined to be “excess” by the Director of Public Works for the City of Minneapolis; and

Whereas, the City of Minneapolis, hereinafter known as the City, proposes to sell such excess parcels to 2905 Associates LLC, the owner of adjacent land, for fair market value; and

Whereas, the legal descriptions for the land being conveyed are:

As to 2905 Harriet Ave: The South 30 feet of the East 18 feet of Lot 15, Block 6, Excelsior Addition to the City of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota; and

As to 2900 1/2 Grand Ave S: The South 12 feet of Lot 1, Block 6, Excelsior Addition to the City of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota, together with the Easterly 1/2 of vacated alley which accrued thereto by reason of the vacation thereof; and

Whereas, the Minneapolis Department of Public Works has estimated the fair market value of the combined parcels to be \$1000; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on May 20, 2016, a public hearing on the proposed sale was duly held on June 7, 2016;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council approves the sale of the two parcels described above to 2905 Associates LLC by means of a quit-claim deed. The City Council of the City of Minneapolis also directs the appropriate staff to execute and deliver the deed.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

Approved by Mayor Betsy Hodges 6/17/2016.

(Published 6/21/2016)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-243 approving the re-conveyance of certain tax forfeited land located at 2900 Grand Ave S back to the State of Minnesota and requesting an auction to adjacent property owners.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-243

By Reich

Approving the re-conveyance of certain tax forfeited land located at 2900 Grand Ave S back to the State of Minnesota and requesting an auction to adjacent property owners.

Whereas, on April 18, 1994, the City of Minneapolis, Hennepin County, Minnesota acquired a certain parcel of previously tax-forfeited land from the State of Minnesota in connection with construction of the Midtown Greenway pursuant to Minnesota Statutes, Section 282.01, Subdivision 1a, to be used exclusively for bicycle trails, right-of-way, and public access; and

Whereas, the legal description of the land is:

The North 28 feet of Lot 1, Block 6, Excelsior Addition, including adjacent 1/2 of vacated alley; and

Whereas, on June 17, 2016, the City Council of the City declared such parcel to be excess property and not needed for bicycle trails, right-of-way, or public access; and

Whereas, pursuant to Minnesota Statutes, Section 282.01, Subdivision 1d, if after three years from the date of conveyance, a parcel acquired for an authorized public use is not put to such use, the City is obligated to either purchase the property for an authorized public purpose at present market value as consented to by the Hennepin County Board of Commissioners or convey the land, or the part of the land not required for an authorized public use, back to the State of Minnesota; and

Whereas, pursuant to Minnesota Statutes, Section 282.01, Subdivision 7a, in certain circumstances the City may request that the Hennepin County Board, on behalf of the State of Minnesota, auction the re-conveyed property exclusively to owners of land adjoining the property to be auctioned; and

Whereas, the physical characteristics of the parcel would render this parcel unbuildable on its own according to many requirements in the City's zoning ordinance;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Finance Officer of the City be authorized to re-convey the parcel described above to the State of Minnesota.

Be It Further Resolved that the City requests that the parcel be auctioned exclusively to owners of land adjoining the parcel and combined for tax and use purposes with the successful adjacent property.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

Approved by Mayor Betsy Hodges 6/17/2016.

(Published 6/21/2016)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-244 adopting the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase I Permit Stormwater Management Program and Annual Report for 2015 Activities.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-244

By Reich

Adopting the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase I Permit Stormwater Management Program and Annual Report for 2015 Activities.

Whereas, the City of Minneapolis is committed to improving water quality in the lakes, wetlands, streams, and Mississippi River; and

Whereas, on Jan. 21, 2011, the City of Minneapolis was issued National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit No. MN0061018 (Permit); and

Whereas, the STORMWATER MANAGEMENT PROGRAM was prepared in accordance with the Permit, was approved by the Minnesota Pollution Control Agency (MPCA) in 2013, and was updated in 2014 and in 2015 and provided to the MPCA; and

Whereas, as required under the Permit, a public hearing was held on June 7, 2016; and

Whereas, the ANNUAL REPORT FOR 2015 ACTIVITIES will now be submitted to the Minnesota Pollution Control Agency;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council hereby adopts the STORMWATER MANAGEMENT PROGRAM and the ANNUAL REPORT ON 2015 ACTIVITIES.

June 17, 2016

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-245 authorizing execution of a Cooperative Agreement Letter with the Minnesota Department of Transportation (MnDOT) allowing the City of Minneapolis to act as the sponsoring local unit of government, enabling funds to be transferred from the MnDOT Community Roadside Landscaping Partnership Program to the City of Minneapolis for landscaping improvements in Triangle Park.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-245

By Reich

Authorizing execution of a Cooperative Agreement Letter with the Minnesota Department of Transportation (MnDOT) allowing the City of Minneapolis to act as the sponsoring local unit of government, enabling funds to be transferred from the MnDOT Community Roadside Landscaping Partnership Program to the City of Minneapolis for landscaping improvements in Triangle Park.

Resolved by The City Council of The City of Minneapolis:

That the Minneapolis Department of Public Works is hereby authorized and directed, for and on behalf of the City of Minneapolis, to act as the sponsoring local unit of government for the project identified as the MnDOT Community Roadside Landscaping Partnership Program. The funds transferred from MnDOT to the City of Minneapolis are to be used for landscaping improvements in Triangle Park. This agreement is to be in place for a period of two (2) years from the date the agreement is executed.

Be It Further Resolved that the Director of Public Works or his designee is hereby authorized to apply to the Minnesota Department of Transportation for funding of this project on behalf of the City of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-246 authorizing execution of a Cooperative Agreement Letter with the Minnesota Department of Transportation (MnDOT) allowing the City of Minneapolis to act as the sponsoring local unit of government, enabling funds to be transferred from the MnDOT Community Roadside Landscaping Partnership Program to the City of Minneapolis for landscaping improvements along the east side of the I-35W sound wall between 46th St and 50th St.

June 17, 2016

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-246

By Reich

Authorizing execution of a Cooperative Agreement Letter with the Minnesota Department of Transportation (MnDOT) allowing the City of Minneapolis to act as the sponsoring local unit of government, enabling funds to be transferred from the MnDOT Community Roadside Landscaping Partnership Program to the City of Minneapolis for landscaping improvements along the east side of the I-35W sound wall between 46th St and 50th St.

Resolved by The City Council of The City of Minneapolis:

That the Minneapolis Department of Public Works is hereby authorized and directed, for and on behalf of the City of Minneapolis, to act as the sponsoring local unit of government for the project identified as the MnDOT Community Roadside Landscaping Partnership Program. The funds transferred from MnDOT to the City of Minneapolis are to be used for landscaping improvements along the east side of the I-35W sound wall between 46th St and 50th St. This agreement is to be in place for a period of two (2) years from the date the agreement is executed.

Be It Further Resolved that the Director of Public Works or his designee is hereby authorized to apply to the Minnesota Department of Transportation for funding of this project on behalf of the City of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-247 authorizing execution of a Cooperative Agreement with the Minnesota Department of Transportation (MnDOT) authorizing the City of Minneapolis to perform engineering services related to sanitary sewer design for the I-35W and Lake Street Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project S.P. 2782-327 (TH 35W).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-247

By Reich

Authorizing execution of a Cooperative Agreement with the Minnesota Department of Transportation (MnDOT) authorizing the City of Minneapolis to perform engineering services related to sanitary sewer design for the I-35W and Lake Street Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project S.P. 2782-327 (TH 35W).

Resolved by The City Council of The City of Minneapolis:

That the Minneapolis Department of Public Works is hereby authorized and directed, for and on behalf of the City of Minneapolis, to enter into MnDOT Agreement No. 1025793 with the State of Minnesota, Department of Transportation, for the following purpose:

To perform engineering services related to sanitary sewer design and to describe the payment by the Minnesota Department of Transportation to the City of Minneapolis for its share of costs of the sanitary sewer design for the I-35W and Lake Street Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project in the corporate City limits under State Project Number S.P. 2782-327 (TH 35W).

Be It Further Resolved that the Director of Public Works or his designee is hereby authorized to execute the agreement and any amendments to it.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-248 authorizing execution of a Cooperative Agreement with the Minnesota Department of Transportation (MnDOT) authorizing the City of Minneapolis to perform engineering services related to water main design for the I-35W and Lake Street Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project S.P. 2782-327 (TH 35W).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-248

By Reich

Authorizing execution of a Cooperative Agreement with the Minnesota Department of Transportation (MnDOT) authorizing the City of Minneapolis to perform engineering services related to water main design for the I-35W and Lake Street Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project S.P. 2782-327 (TH 35W).

Resolved by The City Council of The City of Minneapolis:

That the Minneapolis Department of Public Works is hereby authorized and directed, for and on behalf of the City of Minneapolis, to enter into MnDOT Agreement No. 1025794 with the State of Minnesota, Department of Transportation, for the following purpose:

To perform engineering services related to water main design and to describe the payment by the Minnesota Department of Transportation to the City of Minneapolis for its share of costs of the water main design for the I-35W and Lake Street Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project in the corporate City limits under State Project Number S.P. 2782-327 (TH 35W).

Be It Further Resolved that the Director of Public Works or his designee is hereby authorized to execute the agreement and any amendments to it.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Approves the project layout for the reconstruction of 4th St SE, between 25th Ave SE and 29th Ave SE, as set forth in File No. 16-00739 on file in the Office of the City Clerk.
2. Authorizes negotiation with private property owners to acquire easements and additional right-of-way in conjunction with the street reconstruction project, if necessary.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-249 designating the improvement of certain existing streets in the W 29th St Street Reconstruction Project, Special Improvement of Existing Street No. 9945.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-249

By Reich

**W 29TH ST (BRYANT AVE S TO LYNDAL AVE S) STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 9945**

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing street within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), to create a Shared Use Street to be used by motorists, bicyclists, and pedestrians by paving with concrete, all on a stabilized base, and other street paving related improvements as needed:

W 29th St from Bryant Ave S to Lyndale Ave S.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$944,473 for street construction improvements and a list of benefited properties for certain locations in the W 29th St Street Reconstruction Project, Special Improvement of Existing Street No. 9945, as designated by Resolution 2016R-249, passed June 17, 2016, and directs that the City Engineer prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties by applying the 2016 Uniform Assessment Rates as per Resolution 2015R-482, passed Nov. 20, 2015.

Further, a public hearing is scheduled for July 12, 2016, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the construction of the above-designated street location and the abandonment and removal of areaways located within the project area, if any, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-250 directing the City Engineer to establish parking restrictions on 3rd Ave S between the limits of 1st St S and Washington Ave described herein.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-250

By Reich

Directing the City Engineer to establish parking restrictions on 3rd Ave S between the limits of 1st St S and Washington Ave described herein.

Whereas, the City of Minneapolis wishes to reconfigure 3rd Ave S between the limits of 1st St S and 16th St E; and

Whereas, the City of Minneapolis will be constructing improvements on a Minnesota Department of Transportation (MnDOT) Trunk Highway between 1st St S and Washington Ave; and

Whereas, the improvements do not provide for adequate width for parking on both sides of the street; approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned upon certain parking restrictions; and approval of the proposed construction as a project on a MnDOT Trunk Highway must therefore be conditioned upon certain parking restrictions;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis shall ban parking of motor vehicles on 3rd Ave S from 1st St S to Washington Ave at all times.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby approves a Special Boulevard Permit application from 5th Street Ventures, doing business as Sisyphus Taproom/Micro Brewery, to pave a portion of the boulevard at 712 Ontario Ave with concrete pavers, as set forth in File No. 16-00743 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves the reappointment of the following individuals to serve on the Bassett Creek Watershed Management Commission for three-year terms ending Jan. 31, 2019:

1. Commissioner: Michael Welch.
2. Alternate Commissioner: Lisa Goddard.
3. Technical Advisory Committee: Elizabeth Stout.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves the concept plan for the Hennepin Ave Reconstruction Project between Washington Ave and 12th St, as set forth in File No. 16-00748 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves comments on the Final Environmental Impact Statement (FEIS) for the Southwest Light Rail Transit (SWLRT) Corridor (Green Line Extension) Project, as set forth in File No. 16-00750 on file in the Office of the City Clerk, and directs the Public Works Department to submit the comments to the Metropolitan Council.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS Committees submitted the following reports:

The Minneapolis City Council hereby authorizes execution of Construction Cooperative Agreement Contract No. 1003063 with the State of Minnesota Department of Transportation (MnDOT) for cost sharing on State Project No. 8825-483 pertaining to the reconstruction of six (6) traffic signals and Americans with Disabilities Act (ADA) pedestrian ramps on Trunk Highway 65 (Central Ave) and Trunk Highway 47 (University Ave).

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to the term of Contract No. C-38427 with Waste Management, Inc. for transfer station operation services, to allow for two (2) additional one (1) year extensions, in an amount not to exceed \$600,000 per extension year, and increasing the current contract amount of \$183,000 for a new amount of \$600,000, for continued transfer station operation services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes the submission of a series of applications for federal transportation funds through Metropolitan Council's 2016 Regional Solicitation Program and further authorizes the commitment of local funds to provide the required match for federal funding, as set forth in File No. 16-00737 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-251 declaring intent to use tax exempt bond proceeds for the Downtown Pedestrian Improvement Project No. 6757 (PV072).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-251

By Reich and Quincy

Declaring intent to use tax exempt bond proceeds for the Downtown Pedestrian Improvement Project No. 6757 (PV072).

Resolved by The City Council of The City of Minneapolis:

That pursuant to IRS Treasury Regulations Section 1.150-2, the City of Minneapolis hereby declares its official intent to reimburse all expenditures not paid for by grant funds or Municipal State Aid funds related to the Downtown Pedestrian Improvement Project from the proceeds of tax exempt debt of the City. The expenditures to be reimbursed include all preliminary expenses for planning, design, consulting services, and staff costs reasonably allocated to the project as well as costs incurred and paid for the design, purchase, and reconstruction of accessible pedestrian ramps, landscaping, street lighting, pedestrian countdown timers, durable crosswalk markings, and associated improvements in the Downtown area along 6th St S, 7th St S, 8th St S, and 9th St S.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-38650 with Global Specialty Contractors, Inc., increasing the contract by \$199,921.21, for a revised contract total of \$1,171,947.21, to allow for the payment of additional work performed as part of the Bridge 9 Pier 3 Repair Project.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8277 from Thomas and Sons Construction, Inc., in the amount of \$1,534,996.91, to furnish and deliver all labor, materials, and incidentals necessary for the 7th Street Reconstruction Project, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8284 from Shafer Contracting Company, Inc., in the amount of \$4,276,478.45, to furnish and deliver all labor, materials, and incidentals necessary for the West 54th Street Reconstruction Project, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

The Minneapolis City Council hereby:

1. Authorizes acceptance of grant from the Minneapolis Auto Club Foundation for Safety in the amount of \$915 for the purchase of impairment goggles to provide awareness education and training on impaired driving.
2. Passage of Resolution 2016R-252 approving appropriation of funds to the City Attorney's Office.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-252

By Quincy

Amending The 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Attorney's Office in the Criminal Division's Grants-Other Fund (01600-1400100) by \$915, and increasing the City Attorney's Office revenue estimate in the Criminal Division's Grants-Other Fund (01600-1400100-372002) by \$915.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby authorizes a \$40,000 increase to Contract No. C-35238 with Thomson Reuters -WestLaw to provide online legal research for a new total of \$397,540 through Dec. 31, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves settlement of the Workers' Compensation claim of Frank P. Thurner by payment of \$110,000 to Frank P. Thurner and his attorneys, Meuser & Associates, and authorizing the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves settlement of the Workers' Compensation claim of John Chamberlain by payment of \$90,000 to John Chamberlain and his attorneys, Meuser & Associates, and authorizing the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby approves settlement of the Workers' Compensation claim of Keith W. Daniel by payment of \$125,103.40 to Keith W. Daniel and his attorneys, Meuser & Associates, and authorizing the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a new administrative hearing officer and Enforcement Services Panel for the period of July 1, 2016 through June 30, 2019 with the City option to extend an additional two years, with the cost for each agreement not to exceed \$100,000 for the three-year period.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Accepts One Minneapolis One Read grant funds from The Minneapolis Foundation for the City of Minneapolis READ program in the amount of \$3,398.43.

2. Passage of Resolution 2016R-253 approving appropriation of funds to the City Coordinator Department.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-253

By Quincy

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Coordinator Department in the Grants-Other Fund (01600-8400100) by \$3,398.43, and increasing the revenue estimate (01600-8400100-372002) by \$3,398.43.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Authorizes a two- year contract with Patrick Born not to exceed \$125,000 per year for professional enterprise planning and coordination services for large events, including the 2018 Super Bowl, and
2. Authorizes a two-year contract with Patricia Hellen not to exceed \$65,000 per year for professional public safety coordination services for large events, including the 2018 Super Bowl.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby:

1. Approves acceptance of the federal Certified Local Government (CLG) grant from the Minnesota Historical Society to conduct designation studies and prepare design guidelines for properties associated with the historically significant secular contributions of religious institutions, and
2. Passage of Resolution 2016R-254 approving appropriation of funds to the CPED-Development Services Division.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-254

By Quincy

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the Community Planning and Economic Development agency Federal fund (01300-8900520) by \$20,000 and increasing the revenue budget for the Community Planning and Economic Development agency Federal fund (01300-8900520-321009) by \$20,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Authorizes the waiver of Request for Proposal (RFP) requirements for design and construction administration services for an addition to the Hiawatha Maintenance facility at 1901 E 26 St.

2. Authorizes a contract with RSP Architects for architectural and engineering design services for this project in an amount not-to-exceed \$130,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a settlement agreement and \$50,000 payment to Beacon Sales Acquisition, Inc. d/b/a Shelter Distribution, Inc. for business relocation resulting from the City's purchase of 1860 E 28 St and 2717 Longfellow Ave ("Roof Depot").

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a contract for architectural and engineering design services with Hagen Christensen McIlwain Architects for the East Side Storage & Maintenance facility, in an amount not-to-exceed \$2,806,000, for potential future relocation of Transportation Maintenance & Repair services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a lease extension for Contract No. C-39905 of up to two years at \$24,000 per year with the State of Minnesota for vehicle storage at the City's Impound Lot at 51 Colfax Ave N.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes two-year contracts with Resource Data, Inc. and Geographic Information Services through Feb. 28, 2018, with the City's sole option to extend the contract two additional one-year terms or one additional two-year term, for a total not-to-exceed \$900,000, to provide support and consulting services for the enterprise use of the Geographical Information Systems (GIS) Program when the scope of activity is beyond the capacity of the GIS staff for reasons of time or specific industry expertise.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes customized terms and conditions language in the master contract with Cloud Sherpas, an affiliate of Accenture LLP, an agreement for professional services and tools within the ServiceNow application.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-35985 with LinkedIn Corporation by \$38,775, for a new not-to-exceed amount of \$115,945, and extending the contract for an additional three-year term through June 9, 2019, for use of a recruiting tool granting access to LinkedIn's social network and aids in searching the network for candidates that fit the hiring needs of the City of Minneapolis, and allowing jobs to be posted on LinkedIn's network, thereby gaining a larger audience to assist with recruitment.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a contract with the State of Minnesota through its reseller agent, SHI International, to enroll in a Microsoft Enterprise Agreement and Select Plus Agreement for the use of the core suite of Microsoft products for a term of three years at the prices provided to the State of Minnesota's Cooperative Purchasing Venture (CPV) members.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a three-year contract with KnowledgeLake, Inc. with a not-to-exceed total of \$500,000, for a file ingestion process into an Enterprise Content Management System terminating June 30, 2019, and with the option to extend up to two additional one-year terms or one additional two-year term.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-35771 with West Publishing Corporation by \$162,000, with a new not-to-exceed total of \$417,000, for online research services and access to databases for investigators in the Minneapolis Police Department and extending the contract for an additional three-year term through Dec. 31, 2019, updating Terms and Conditions to reflect current standards.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Ordinance 2016-044 amending Title 2, Chapter 24 of the Minneapolis Code of Ordinances relating to Administration: Public Works, amending Article IV entitled "Contracts" by adding prevailing wage requirements for certain City contracts for public improvements.

The following is the complete text of the unpublished summarized ordinance.

June 17, 2016

ORDINANCE 2016-044
By B. Johnson and Glidden
Intro & 1st Reading: 1/29/2016
Ref to: COW
2nd Reading: 6/17/2016

Amending Title 2, Chapter 24 of the Minneapolis Code of Ordinances relating to Administration: Public Works.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 24.200 of the above-entitled ordinance be amended to read as follows:

24.200. - Payment of labor and materials first. When any contract is ordered to be made or let under the provisions of the city charter for any public improvements, either on streets, public grounds, public buildings or other structures, or for repairs thereto, or for any other purpose, such contract shall contain a special provision for the payment of the laborers, employees and those furnishing materials for such work or improvement, out of the amount due said contractors from the city, before any part is paid to said contractors, their heirs, agents or assignees. The requirements of sections 24.200, 24.230, 24.245, and 24.265 of this Ordinance do not apply to a contract, or work under a contract, where the estimated total cost of completing the entire project is less than fifty thousand dollars (\$50,000). Projects under fifty thousand dollars (\$50,000) shall be subject to the requirements of sections 24.220, 24.250, and 24.260.

Section 2. That Section 24.220 of the above-entitled ordinance be amended to read as follows:

24.220. - Prevailing wage required. All invitations to bid or request for proposals and all contracts entered into where, pursuant to ordinance or statute, a formal written contract ~~or~~ and a payment bond and performance bond is required to which the city is a party, for constructions, alteration and/or repair, including painting, decorating, sodding and landscaping of public buildings, or similar public works of the city and which requires or involves the employment of mechanics and/or laborers shall contain a provision stating that “all federal labor standards and prevailing wage provisions applicable to federal contracts in accordance with the federal Davis-Bacon Act and related ~~aets~~ federal regulations except as noted in section 24.240 of this ordinance are applicable to this contract as if fully set forth herein and all contractors and subcontractors shall fully comply with such provisions regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and his employees.” All such contracts shall also contain a provision stating that “Compliance with the City of Minneapolis Prevailing Wage Ordinance, sections 24.200 through 24.265 of the Minneapolis Code of Ordinances, is required as a material term of this contract and all such provisions are expressly incorporated by reference herein.” A signed wage compliance certificate to guaranty the payment of the prevailing wage will be submitted as part of the bid. Any laborer, mechanic or employee employed by the contractor or any subcontractor directly on the project covered by the contract is intended to be a third-party beneficiary of the contract for the purposes of this Article. All such contracts shall also contain a provision stating that “Any laborer, mechanic or employee employed by the contractor or subcontractor directly on the project covered by the contract is intended to be a third-party beneficiary of the City of Minneapolis Prevailing Wage Ordinance, sections 24.000 through 24.265 of the Minneapolis Code of Ordinances.”

Section 3. That Section 24.230 of the above-entitled ordinance be amended to read as follows:

24.230. - Pre-award conference. Promptly after bid opening and prior to contract award the apparent successful bidder shall submit to the ~~appropriate contract monitoring officer a list of all anticipated subcontractors and the various classes of laborers and mechanics to be employed on the contract work, together with a schedule of wage rates and fringe benefits to be paid to such employees~~ director of the department of civil rights or his or her designee a signed wage compliance certificate guarantying payment of prevailing wage by the contractor and each subcontractor and a pre-construction booklet which will contain the following items:

- (1) the identity and contact information of each, anticipated subcontractor and each, anticipated supplier of materials;
- (2) the identity and contact information for each benefits administrator for the contractor and each subcontractor;
- (3) the prevailing wage job classification of all laborers and mechanics for the contractor and each subcontractor;
- (4) the anticipated number of hours to be worked per classification of laborer and mechanic for the contractor and each subcontractor;
- (5) the prevailing rate of wages and benefits payable to each classification of laborer and mechanic for the contractor and each subcontractor; and
- (6) proof of status of all subcontractors and independent contractors as required by section 24.265.

Such wage rates shall be at least the prevailing rates as required by section 24.220. Failure to comply with this provision shall be grounds for rejecting the bid.

Section 4. That Section 24.240 of the above-entitled ordinance be amended to read as follows:

24.240. – ~~Submission~~ Payment schedule and submission of statements and payroll records. ~~All laborers and mechanics employed under the terms of the contract or otherwise employed at the project will be paid unconditionally, at a minimum, every two weeks (bi-weekly). Upon the request of the appropriate contract monitoring officer, each~~ Each contractor or subcontractor engaged in work under the contract shall furnish to the appropriate contract monitoring officer within five (5) working days, a copy of payrolls showing wages paid, and a wage compliance statement with respect to wages paid each of its mechanics and laborers employed on the site of the contract work ~~director of civil rights on a bi-weekly basis, a certified copy of the payroll for each laborer and mechanic showing wages and benefits paid, name, prevailing wage job classification, hours worked each day, total hours worked in each classification, hourly rate of pay, gross amount earned, each deduction for taxes, total deductions, net pay per week, dollars contributed per hour to each benefit, the name and address of each benefit administrator, pension contributions, and vacations and holidays earned and paid during the bi-weekly period.~~ In the event the contractor fails to supply such statements ~~certified payroll reports~~ certified payroll reports ~~or if such statements~~ disclose that the required prevailing wage is not being paid, the contract monitoring office ~~department of civil rights~~ department of civil rights ~~shall promptly notify the city finance officer who shall forthwith withhold payments to the contractor for such periods of noncompliance. During the~~

June 17, 2016

course of and upon completion of the contract work, the ~~contract monitoring officer~~ department of civil rights shall have the right to require an appropriate audit of contractor's books and records to determine compliance or noncompliance with the provisions of sections 24.220 through ~~24.260~~ 24.265. Each contractor and subcontractor shall retain the relevant bi-weekly payrolls for a period of not less than one year after the completion of the work.

Section 5. That Chapter 24 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 24.245 to read as follows:

24.245. Monitoring of prevailing wage. The department of civil rights shall monitor compliance with this article. Compliance monitoring shall include participation in the section 24.230 pre-award conference and the review of the certified payroll reports. Compliance monitoring shall also include job site visits to test the accuracy of information submitted by the contractor.

Section 6. That Section 24.250 of the above-entitled ordinance be amended to read as follows:

24.250. - Failure to pay prevailing wage. ~~Every~~ All invitations to bid or requests for proposals and all contracts entered into within the scope of section 24.220 shall contain the further provision that stating "That in the event it is found by the city that any laborer, mechanic or employee employed by the contractor or any subcontractor or independent contractor directly on the site of the work covered by the contract has been, or is being paid, a rate of wages and fringe benefits or their cash equivalent less than rates required by this article and by the contract, ~~the contract monitoring officer or officers~~ and if the violation remains uncured within thirty (30) days after written notice, then the department of civil rights may direct the finance officer to withhold contract payment or amounts owed to the contractor on the current contract or on other contracts between the city and contractor to the extent of underpayment of required wages and require the contractor to pay a fee equal to five (5) percent of the entire contract price to the city as liquidated damages, and may place the contractor on a suspended or ~~disbarment~~ debarment list and, by written notice to the contractor, terminate his/her right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and to prosecute the work to completion by contract or otherwise, and the contractor and his/her sureties shall be liable to the city for damages sustained thereby." ~~The city reserves the right to withhold contract payments to the extent of the underpayment of required wages.~~ The department of civil rights shall develop forms and rules, including due process rights, to provide guidance in carrying out the purposes of this section. Any contractor objecting to being placed on a suspended or ~~disbarment~~ debarment list, ~~by the contract monitoring officer~~ paying liquidated damages of five percent (5%) of the contract price or having payments withheld shall have the right to appeal in writing, within thirty (30) days of the decision of the department of civil rights, to the governing body of the appropriate contracting agency for review of the ~~contract monitoring officer's actions~~ actions of the department of civil rights.

Section 7. That Section 24.260 of the above-entitled ordinance be amended to read as follows:

24.260. - Failure to comply bars future contracts. The ~~contract monitoring officer~~ department of civil rights shall prepare and maintain a list of all persons or firms who are in default under any of the provisions of this article in regard to obligations to their employees, including being placed on a suspended or debarment list, and no further contracts shall be awarded or entered into with such persons or firms for so long as they are in default or for a three (3) year period from the time of default,

whichever period is longer. A current copy of such list shall be kept on file in the offices of the city finance officer and purchasing agent.

Section 8. That Chapter 24 of the Minneapolis Code of Ordinances be amended by adding thereto a new section 24.265 to read as follows:

24.265. – Subcontractors and independent contractors. Any contractor or subcontractor who plans to accomplish all or a portion of the work under a contract within the scope of section 24.220 using subcontractors or self-employed independent contractors may be required to provide the department of civil rights with bona fide proof of the status of such entities in the pre-award conference required by section 24.230. All such subcontractors and independent contractors must have executed a written contract/subcontract agreement for their work performance. The department of civil rights will accept the following as a bona fide demonstration of subcontractor status:

(1) Current business filing with the Minnesota Secretary of State along with the address and telephone number for that entity;

(2) Proof of workers' compensation insurance coverage;

(3) Proof of unemployment insurance.

In addition to the above criteria, a self-employed independent contractor must be performing work on the project under an independent contractor exemption certificate as defined by Minnesota Statutes Section 181.723, Subd. 4 and Section 326B.701. If the status of subcontractors or self-employed independent contractors cannot be determined by submission of the above information or documentation, subcontractor or independent contractor status will be disallowed and the individual(s) performing the work will be included on the engaging company's payroll as employees and will be entitled to receipt of the prevailing wage from the engaging company for all work performed.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The ordinance was adopted.

The ZONING & PLANNING Committee submitted the following reports:

The Minneapolis City Council hereby adopts staff findings and denies an appeal submitted by Matt Janzen regarding the Heritage Preservation Commission decision approving a Certificate of Appropriateness application (BZH-29079) to allow the construction of a new residential building located at 721 N 1st St, and adds the following condition of approval: the exterior materials used on the 8th Ave and 2nd St facades are to be brick, conforming with nearby buildings.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby adopts staff findings and grants an appeal submitted by Alatus LLC regarding the following Heritage Preservation Commission decisions:

1. Condition of Approval #2 of the Certificate of Appropriateness (BZH-29057), approving the demolition of the St. Anthony Commercial Club building, located at 200 Central Ave SE in the Saint Anthony Falls Historic District, requiring that the developer will make the Commercial Club building widely available (through a website or other means) for a period of three months to allow the options of relocation for reuse to be explored.

2. Approves a Certificate of Appropriateness application (BZH-29058) to allow for construction of a new 40-story, mixed-use building for the property located at 200 Central Ave SE and 113 2nd St SE in the Saint Anthony Falls Historic District, subject to the following conditions:

1. The primary building material of the north podium wall (floors one through four) shall be the same material as that used on the street facing facades of the podium.
2. The transformers and enclosure shall not extend past the predominant building wall setback adjacent to 2nd St.
3. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approved is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than May 3, 2018.
4. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of the Certificate of Appropriateness and may result in termination of the approval.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On motion by Frey, staff was directed to continue to ensure the integrity of the historic district through a careful site-specific analysis of future development proposals.

The Minneapolis City Council hereby adopts staff findings and denies an appeal submitted by William Griffith with Larkin Hoffman, on behalf of Neighbors for East Bank Livability, regarding the Heritage Preservation Commission decision approving a Certificate of Appropriateness application (BZH-29057) to allow for the demolition of the St. Anthony Commercial Club building located at 200 Central Ave SE and 113 2nd St SE in the Saint Anthony Falls Historic District.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby adopts staff findings and denies an appeal submitted by David Wheeler, et al, regarding the Zoning Board of Adjustment decision approving the following variances (BZZ-7658) for a new four-story residential building with four dwelling units at 3621 Bryant Ave S:

1. A variance to reduce the required north interior side yard setback from 11 feet to 10 feet.
2. A variance to reduce the required south interior side yard setback from 11 feet to 10 feet.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The Minneapolis City Council hereby denies an application submitted by Mountain High, LLC to rezone (BZZ-7621) the property located at 3219 Portland Ave from R2B Two-Family District to the R3 Multiple-Family District, to convert the existing duplex to a three-unit building.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by B. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing:

Maintenance Code, updating sections related to door-closing devices and licensing standards to reflect current code and charter references.

Pursuant to notice, on motion by B. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Transportation & Public Works Committee:

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing, amending the department with oversight responsibility of traffic control within the code to reflect current structure.

Pursuant to notice, on motion by Yang, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee for a public hearing June 21, 2016:

Amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food Code: Administration and Licensing, amending provisions related to the geographical boundaries authorized for operating sidewalk food carts.

Pursuant to notice, on motion by Bender, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions, amending the definition of "half story."

Pursuant to notice, on motion by Bender, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending yard and setback requirements in nonresidential zoning districts: Chapter 548 Commercial Districts; Chapter 549 Downtown Districts; and Chapter 550 Industrial Districts.

NEW BUSINESS

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 1, Chapter 1 of the Minneapolis Code of Ordinances relating to General Provisions: In General, authorizing electronic service of violation notices and orders.

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations for fraternities and sororities: Chapter 520 Introductory Provisions; Chapter 536 Specific Development Standards; Chapter 546 Residence Districts; and Chapter 547 Office Residence Districts.

Warsame gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations for off-premise advertising signs and billboards: Chapter 525 Administration and Enforcement; and Chapter 544 Off-Premise Advertising Signs and Billboards.

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations related to accessory dwelling units: Chapter 525 Administration and Enforcement; Chapter 535 Regulations of General Applicability; Chapter 537 Accessory Uses and Structures; and Chapter 551 Overlay Districts.

Goodman gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, amending provisions related to the requirement that applications for new alcohol licenses must be submitted twice to the appropriate committee of the City Council: Chapter 360 In General; Chapter 362 Liquor Licenses; Chapter 363 Wine Licenses; and Chapter 366 Beer Licenses.

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending the zoning map as part of a rezoning study in the Lowry Hill East Neighborhood: Chapter 521 Zoning Districts and Maps Generally; and Chapter 551 Overlay Districts.

Palmisano gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 2, Chapter 17 of the Minneapolis Code of Ordinances relating to Administration: Finance Department, clarifying Internal Auditor duties and amending the Audit Committee referral process.

ADJOURNMENT

On motion by Glidden, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the following:

1. Litigation matter of *Garcia v. Lehner and the City of Minneapolis, Court File No. 15-cv-3214 (SRN/HB)*.
2. Security briefing to discuss security at upcoming planned public events.

ADJOURNED SESSION

Council President Johnson called the adjourned session to order at 10:06 a.m. in Room 315, a quorum being present.

Litigation Manager Tim Skarda, City Attorney's Office, stated that the meeting may be closed for the purpose of discussing the following:

1. Attorney-client privileged matters involving the litigation matter of *Garcia v. Lehner and the City of Minneapolis, Court File No. 15-cv-3214 (SRN/HB)*; and
2. To receive a security briefing related to upcoming planned public events.

At 10:09 a.m., on motion by B. Johnson, the meeting was closed pursuant to Minnesota Statutes Section 13D.05, Subdivisions 3 (b) and (d) to discuss the lawsuit involving *Garcia v. Lehner and the City of Minneapolis*, and to receive a security briefing to discuss security at upcoming planned public events, including the Twin Cities PRIDE festival.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey (In at 10:17 a.m.), Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Linea Palmisano, President Barbara Johnson.

Absent - Council Member Andrew Johnson.

Also Present - Erik Nilsson, Deputy City Attorney, Tim Skarda, Litigation Manager, and Assistant City Attorney Sarah McLaren, City Attorney's Office; John Stiles, Mayor's Chief of Staff; Spencer Cronk, City Coordinator; Janee Harteau, Police Chief; Casey Joe Carl, City Clerk, and Jackie Hanson, City Clerk's Office.

McLaren summarized the *Garcia v. Lehner and the City of Minneapolis* lawsuit from 10:09 a.m. to 10:25 a.m.

Harteau presented a security briefing from 10:25 a.m. to 10:54 a.m.

At 10:54 a.m., on motion by Glidden, the meeting was opened.

B. Johnson moved that all claims against the City of Minneapolis, including claims for attorneys' fees and costs, asserted in *Luis Daniel Garcia v. Blayne Lehner and the City of Minneapolis*, United States District Court File No. 15-cv-3214 (SRN/HB) be settled in the amount of \$360,000, payable to Luis Daniel Garcia, and his attorneys, from Fund/Org. 6900 150 1500 145400. The City Attorney's Office is authorized to execute any documents necessary to effectuate this settlement.

On roll call, the result was:

June 17, 2016

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The motion was adopted.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk